

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: JANUARY 10, 2008

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER

☐ Consent ☒ Discussion

SUBJECT:

SUP-25774 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT/OWNER: CARLOS MAGANA-GODINEZ - Request for a Special Use Permit TO ALLOW LIVESTOCK FARMING (BOVINES) SOUTH OF CHEYENNE AVENUE AND ON 0.52 ACRES WHERE 1.25 ACRES IS THE MINIMUM ALLOWABLE PARCEL SIZE on 0.52 acres at 4869 Nettie Avenue (APN 140-29-810-033), R-E (Residence Estates) Zone, Ward 3 (Reese)

IF APPROVED, C.C.: 02/06/2008

IF DENIED, P.C.: FINAL ACTION (Unless appealed within 10 days)

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.

28

City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.

1

City Council Meeting

0

RECOMMENDATION:

DENIAL

BACKUP DOCUMENTATION:

1. Location and Aerial Maps
2. Conditions and Staff Report
3. Supporting Documentation
4. Photos
5. Justification Letter
6. Submitted after final agenda – Protest/support postcards
7. Submitted at meeting – Protest postcards

Motion made by RICHARD TRUESDELL to Deny

Passed For: 7; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 0

GLENN TROWBRIDGE, SAM DUNNAM, DAVID STEINMAN, BYRON GOYNES, RICHARD TRUESDELL, STEVEN EVANS, VICKI QUINN; (Against-None); (Abstain-None); (Did Not Vote-None); (Excused-None)

Minutes:

CHAIRMAN GOYNES declared the Public Hearing open.

ANDY REED, Planning and Development Department, explained that the City Council amended the Zoning Code to allow livestock farming with the condition that bovines would not be

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permitted south of Cheyenne Avenue. MR. REED informed that the applicant's property is located south of Cheyenne Avenue and therefore would not be in compliance with Code.

CARLOS MAGANA-GODINEZ was present. The applicant requested a special use permit for livestock farming for personal use only and has no intent to utilize it for breeding or for commercial purposes.

WALTER CASPER, 4956 Nettie Avenue, appeared in opposition. He stated that he lives adjacent to the applicant, who moved in two months ago. Submitting postcards of nineteen signatures of opposition, he added that the applicant currently has cows on his property.

JAMES BROCKET, 1424 North Hollywood, opposed the application. He stressed that the area is rural, horse properties and objected to having livestock in his neighborhood.

TODD FARLOW, 240 North 19th Street, stated this is his ward and voiced his opposition.

CHAIRMAN GOYNES asked the applicant to confirm that he currently has livestock on the property. The applicant replied affirmatively but noted that he was unaware that bovines were not permitted until he spoke with City staff.

COMMISSIONER TRUESDELL stated he understood the applicant's position but he would not be able to support the request because the neighbors have spoken out against it and the Code prohibits it.

MARGO WHEELER, Director of the Planning and Development Department, explained the procedure for the denial and the process the applicant needs to follow in order to appeal within the ten-day timeframe. MS. WHEELER emphasized that the denial means removal of the cow and calf.

CHAIRMAN GOYNES declared the Public Hearing closed.